

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

APPLICATION 26306 PERMIT 19164 LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING THE PERMIT

WHEREAS:

1. Permit 19164 was issued to Shasta Springs Cattle Company on March 23, 1984 pursuant to Application 26306.
2. Permit 19164 was subsequently assigned to Shasta Foods International.
3. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board (Board).
4. The permittee has proceeded with diligence and good cause has been shown for said extension of time.
5. Permit Condition 10 pertaining to the continuing authority of the Board should be updated to conform to Section 780(a), Title 23 of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 7 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE December 31, 1995 (00000009)

2. Condition 10 of the permit be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or

reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (00000012)

Dated: MAY 03 1991

ORIGINAL SIGNED
BY ROGER JOHNSON

JK Jesse M. Diaz, Chief
Division of Water Quality
and Water Rights

DIVISION OF WATER RIGHTS

ORDER

APPLICATION 26307

PERMIT 19165

LICENSE

ORDER APPROVING A NEW DEVELOPMENT
SCHEDULE AND AMENDING THE PERMIT

WHEREAS:

1. Permit 19165 was issued to Shasta Springs Cattle Company on March 23, 1984 pursuant to Application 26307.
2. Permit 19165 was subsequently assigned to Shasta Foods International.
3. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board (Board).
4. The permittee has proceeded with diligence and good cause has been shown for said extension of time.
5. Permit Condition 10 pertaining to the continuing authority of the Board should be updated to conform to Section 780(a), Title 23 of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 7 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE December 31, 1995 (0000009)
2. Condition 10 of the permit be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or

reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.
(00000012)

Dated: MAY 03 1991

**ORIGINAL SIGNED
BY ROGER JOHNSON**

gk
Jesse M. Diaz, Chief
Division of Water Quality
and Water Rights

(916) 324-5715

In Reply Refer
To: 342:RG:26305
26306 26307

MAY 03 1991

Shasta Foods International
c/o Gene Davis
P.O. Box 1020
Cottonwood, CA 96022

Gentlemen:

PERMITS 19163, 19164, AND 19165 (APPLICATIONS 26305, 26306, AND 26307) SHASTA RIVER IN SISKIYOU COUNTY

Your petitions for extensions of time within which to complete the project under these permits have been approved. The new development schedules are set forth in the enclosed Orders. We suggest that you retain these Orders with your permits until your project is licensed.

Please note that the existing continuing authority terms in Permit Condition 10 has been amended to reflect the current common law public trust doctrine as contained in Title 23, California Code of Regulations, Section 780(a).

In addition, please be aware that Condition 8 of the permits state "Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until license is issued." In the future, you should diligently comply with this condition or you will be considered not complying with all permit conditions and revocation action may be initiated.

You are urged to proceed with development of your project in accordance with the approved schedules shown in the Orders. Any further extension of time will be subject to a showing of "Cause for Extension of Time" under California Code of Regulations, Section 844, which we have enclosed. Of course, you should be aware that permits for projects not pursued with diligence are subject to revocation.

If you have any questions, please write or call Ralph Gunby at (916) 324-5693.

Sincerely,

ORIGINAL SIGNED BY:

Jim H. Pankratz, Chief
Petition Unit

Enclosures

RGunby: tmaxon:3-25-91
JHPede:300:RG:26305.06.07